



**COUNTY OF LOS ANGELES
WORKFORCE DEVELOPMENT, AGING AND
COMMUNITY SERVICES**

**INVITATION FOR BIDS (IFB)
FOR
FINANCIAL CONSULTANT SERVICES**

FCS-1718

August 25, 2017

**Prepared By
County of Los Angeles
Workforce Development, Aging and Community Services**

Bid Due Date/Time: Thursday, September 7, 2017, 12:00 Noon (PST)

**INVITATION FOR BIDS (IFB)
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TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1.0 GENERAL INFORMATION	1
1.1 Purpose	1
1.2 Overview of Solicitation Document	2
1.3 Terms and Definitions.....	3
1.4 Bidder's Minimum Requirements.....	4
1.5 County's Rights and Responsibilities.....	4
1.6 Subaward Term	5
1.7 Subaward Rates	5
1.8 Days of Operation.....	5
1.9 Contact with County Personnel	5
1.10 Final Subaward Award by the Board of Supervisors	6
1.11 Mandatory Requirement to Register on County's WebVen	6
1.12 County Option to Reject Bids	6
1.13 Protest Process	6
1.14 Notice to Bidders Regarding the Public Records Act.....	7
1.15 Indemnification and Insurance.....	8
1.16 Intentionally Omitted.....	8
1.17 Injury and Illness Prevention Program (IIPP).....	8
1.18 Background and Security Investigations.....	8
1.19 Confidentiality and Independent Contractor Status	8
1.20 Conflict of Interest.....	8
1.21 Determination of Bidder Responsibility	8
1.22 Bidder Debarment	9
1.23 Bidder's Adherence to County Child Support Compliance Program.....	11

**INVITATION FOR BIDS (IFB)
FINANCIAL CONSULTANT SERVICES**

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1.24 Gratuities	11
1.25 Notice to Bidders Regarding the County Lobbyist Ordinance.....	12
1.26 Federal Earned Income Credit.....	12
1.27 Consideration of GAIN/GROW Participants for Employment	13
1.28 County's Quality Assurance Plan	13
1.29 Recycled Bond Paper.....	13
1.30 Safely Surrendered Baby Law	13
1.31 County Policy on Doing Business with Small Business	13
1.32 Jury Service Program	14
1.33 Intentionally Omitted.....	15
1.34 Intentionally Omitted.....	15
1.35 Notification to County of Pending Acquisitions/Mergers by Bidding Company	15
1.36 Social Enterprise (SE) Preference Program	16
1.37 Health Insurance Portability and Accountability Act of 1996 (HIPAA).....	16
1.38 Bidder's Charitable Contributions Compliance	16
1.39 Defaulted Property Tax Reduction Program.....	17
1.40 Disabled Veteran Business Enterprise (DVBE) Preference Program	18
1.41 Time Off for Voting	18
1.42 Bidder's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking	19
1.43 Intentionally Omitted.....	19

**INVITATION FOR BIDS (IFB)
FINANCIAL CONSULTANT SERVICES**

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
2.0 INSTRUCTIONS TO BIDDERS	19
2.1 County Responsibility	19
2.2 Truth and Accuracy of Representations	19
2.3 IFB Timetable	19
2.4 Solicitation Requirements Review	20
2.5 Bidders' Questions	20
2.6 Intentionally Omitted	21
2.7 Preparation of the Bid	21
2.8 Bid Format	21
2.9 Bid Submission	25
3.0 BID REVIEW AND SELECTION PROCESS	26
3.1 Review Process	26
3.2 Adherence to Minimum Requirements	26
3.3 Disqualification Review	27
3.4 Bid Review	27
3.5 Department's Proposed Subrecipient Selection Review	28

**INVITATION FOR BIDS (IFB)
FINANCIAL CONSULTANT SERVICES**

TABLE OF CONTENTS

APPENDICES:

APPENDIX A: Sample Subaward

APPENDIX B: Statement of Work

APPENDIX C: Statement of Work Attachment

APPENDIX D: Required Forms

APPENDIX E: Transmittal Form to Request a Solicitation Requirements Review

APPENDIX F: County of Los Angeles Policy on Doing Business with Small
Business

APPENDIX G: Jury Service Ordinance

APPENDIX H: Listing of Contractors Debarred in Los Angeles County

APPENDIX I: IRS Notice 1015

APPENDIX J: Safely Surrendered Baby Law

APPENDIX K: Background and Resources: California Charities Regulation

APPENDIX L: Defaulted Property Tax Reduction Program

1.0 GENERAL INFORMATION

1.1 Purpose

County of Los Angeles, by and through its Workforce Development, Aging and Community Services Department (WDACS or County), is issuing this Invitation for Bids (IFB) to solicit bids for a Subaward with a consultant (an organization or individual) who can provide Financial Consultant Services.

Background:

WDACS administers an array of federal, state and local programs to the residents of the County of Los Angeles. WDACS investigates claims of the abuse of senior and disabled populations and provides emergency shelter beds to these victims of abuse and neglect through its Adult Protective Services Program. WDACS offers mediation services to avoid court filings through WDACS' Dispute Resolution Program. The Department provides supportive services for a wide range of issues and activities impacting people of American Indian ancestry through the Community Services American Indian Block Grant Program. WDACS seeks to improve human relations by developing and strengthening delivery systems of technical assistance and resources Countywide through the Human Relations Commission. The Department provides nutrition, supportive and other life-enhancing services to seniors/older individuals through its Area Agency on Aging (AAA) Programs, as well as employment and training services to adults and youth and works with employers in times of hiring and downsizing through its Workforce Innovation and Opportunity Act (WIOA) Programs. WIOA requires Local Workforce Development Boards (Local Board) to develop Memorandums of Understanding (MOUs) with all America's Job Centers of California (AJCC) required partners present in their Local Workforce Development Areas (Local Area). The MOUs will serve as a plan for how the Local Board and AJCC partners will create a unified service delivery system.

WDACS seeks to subaward with a Subrecipient with proven experience as listed in Bidder's Minimum Requirements (Section 1.4 of the IFB), to make recommendations, and develop policies and procedures that will enhance WDACS efficiencies in areas, including but not limited to current financial practices, Phase II Mandated Partners of Los Angeles County's AJCC System MOU, and current automation systems in areas of finance.

Scope of Services:

Successful Subrecipient will be a consultant, individually retained to perform tasks as specified in Section 10.0, Specific Work Requirements, of the Statement of Work of the Subaward.

1.2 Overview of Solicitation Document

This Invitation for Bids (IFB) is composed of the following parts:

- **GENERAL INFORMATION:** Specifies Bidder's minimum requirements, provides information regarding some of the requirements of the Subaward and explains the solicitation process.
- **INSTRUCTIONS TO BIDDERS:** Contains instructions to Bidders on how to prepare and submit their Bids.
- **BID REVIEW AND SELECTION PROCESS:** Explains how the Bids will be reviewed and selected.
- **APPENDICES:**
 - **A - Sample Subaward:** Lists the terms/conditions in the Subaward.
 - **B - Statement of Work (SOW):** Explains in detail the statement of work to be performed in the Subaward.
 - **C - SOW Exhibits:** Exhibits that accompany the Statement of Work.
 - **D - Required Forms:** Forms contained in this section must be completed and included in the Bid.
 - **E - Transmittal Form to Request a Solicitation Requirements Review:** Transmittal sent to department requesting a Solicitation Requirements Review.
 - **F - Count of Los Angeles Policy on Doing Business with Small Business:** County policy.
 - **G - Jury Service Ordinance:** County Program.
 - **H - Listing of Contractors Debarred in Los Angeles County:** Contractors who are debarred from receiving a subaward with County for a specific length of time.
 - **I - IRS Notice 1015:** Provides information on Federal Earned Income credit.
 - **J - Safely Surrendered Baby Law:** County program.
 - **K - Background and Resources: California Charities Regulation:** An information sheet intended to assist Non-profit agencies with compliance with SB 1262 – the Nonprofit Integrity Act of 2004 and identify available resources.
 - **L - Defaulted Property Tax Reduction Program:** County program.

1.3 Terms and Definitions

Throughout this IFB, references are made to certain persons, groups, or departments/agencies. For convenience, a description of specific definitions can be found in Exhibit P, Definitions, of the Subaward.

- 1.3.1 Titles, captions and headings contained in this solicitation are inserted as a matter of convenience and for reference and are not intended and shall not be deemed or construed to define, limit, extend or otherwise describe the scope or any provision of this solicitation.
- 1.3.2 For purposes of this IFB, the term Bidder is used to identify any person, entity or organization which submits a bid in response to this solicitation. As such, while the information provided in this IFB is intended primarily for Bidders, potential Bidders are highly encouraged to review this solicitation document as well.
- 1.3.3 For purposes of this IFB, the term Subrecipient shall refer to a Bidder who submits a bid in response to this solicitation, successfully passes County's evaluation process, is selected by County to receive a Subaward (contingent upon approval by the Board of Supervisors) and is expected to ultimately sign/execute the resulting Subaward.
- 1.3.4 Usage of Specific Terms Pursuant to Federal and County Regulations
 - 1.3.4.1 In order to comply with the requirements of Title 2 Code of Federal Regulations Part 200, specific terms are used to refer to the resulting agreement which is identified as the "Subaward" (i.e., Appendix A (Sample Subaward)), the party to that agreement who is identified as "Subrecipient", a third-party agreement which is identified as the "Lower Tier Subaward" and a third-party who is identified as a "Lower Tier Subrecipient".
 - 1.3.4.2 In order to comply with County of Los Angeles codes/statutes and Board of Supervisors policies/mandates,, several County of Los Angeles specific terms are also used to refer to the resulting agreement which is identified as the "Contract" (i.e., Appendix A (Sample Subaward)), the party to that agreement who is identified as "Contractor", a third-party agreement which is identified as the "Subcontract" and a third-party who is identified as a "Subcontractor".
 - 1.3.4.3 In all cases, when the terms Subaward, Subrecipient, Lower Tier Subaward, Lower Tier Subrecipient, Contract, Contractor, Subcontract and Subcontractor are used then these shall have the meanings provided respectively herein and as noted in Appendix A (Sample Subaward), Exhibit P (Definitions).

1.4 Bidder's Minimum Requirements

Bidder must meet specific eligibility criteria regarding experience and proposal submission to be eligible and considered for a subaward with WDACS. Bidder must provide satisfactory evidence that it meets the following minimum requirements:

- 1) Two (2) or more years of experience within the last six (6) years of experience providing workforce development funds administration and reporting under Workforce Investment Act (WIA) and/or Workforce Investment and Opportunity Act (WIOA);
- 2) Three (3) or more years of experience within the last six (6) years in the development of cost allocations for non-profit organizations, public entities or for-profit organizations;
- 3) Three (3) or more years of experience within the last six (6) years providing federal grants management and federal grants administration;
- 4) A four-year degree in finance, accounting or a related field;
- 5) Knowledge of Title 2 CFR Section 200 et seq., Uniform Grant Guidelines;
- 6) Knowledge of statutes and guidelines of WIOA, the Older Americans Act (OAA), the Older Californians Act (OCA) and with memorandums and directives of the U.S. Department of Labor Employment & Training Administration, the California State Employment Development Department, the California Department of Aging, and other federal, state, local entities involved in administration and reporting of WIOA and Area Agency on Aging (AAA) funds.

1.5 County's Rights and Responsibilities

County has the right to amend the IFB by written addendum. County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available to each person or organization which County records indicate has received this IFB. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the Bid not being considered, as determined in the sole discretion of County. County is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

1.6 Subaward Term

The Subaward term shall be for a period of one (1) year commencing on September 15, 2017, upon execution by the parties, with the sole option to extend the Subaward term for up to one (1) additional one (1) year, for a maximum total Subaward term of two (2) years.

1.7 Subaward Rates

Subrecipient's rate(s) shall remain firm and fixed for the term of the Subaward, based on the approved Exhibit B, Pricing Schedule, of the Subaward.

The subaward (hourly, daily, monthly, etc.) amount may be adjusted annually based on the increase or decrease in the U.S. Department of Labor, Bureau of Labor Statistics' Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County Area for the most recently published percentage change for the 12-month period preceding the subaward anniversary date, which shall be the effective date for any cost of living adjustment. However, any increase shall not exceed the general salary movement granted to County employees as determined by the Chief Executive Office as of each July 1 for the prior 12-month period. Furthermore, should fiscal circumstances ultimately prevent the Board from approving any increase in County employee salaries, no cost of living adjustments will be granted. Where County decides to grant a Cost of Living Adjustment (COLA) pursuant to this paragraph for living wage subawards, it may, in its sole discretion exclude the cost of labor (including the cost of wages and benefits paid to employees providing services under this subaward) from the base upon which a COLA is calculated, unless Subrecipient can show that his/her labor cost will actually increase.

1.8 Days of Operation

Subrecipient shall be required to provide Financial Consultant Services Monday through Friday. Subrecipient is not required to provide services on County-recognized holidays. County's Compliance Manager will provide a list of County holidays to Subrecipient at the time the Subaward is executed, and annually, at the beginning of the calendar year.

1.9 Contact with County Personnel

Any contact regarding this IFB or any matter relating thereto must be in writing and may be mailed or e-mailed as follows:

Igor Bagmanian
Workforce Development, Aging and Community Services
3175 West Sixth Street
Los Angeles, CA 90020
ibagmanian@wdacs.lacounty.gov

If it is discovered that Bidder contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their bid from further consideration.

1.10 Final Subaward Award by the Board of Supervisors

Notwithstanding a recommendation of a department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a bid and the terms of any resultant agreement, and to determine which bid best serves the interests of County. The Board is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, a subaward.

1.11 Mandatory Requirement to Register on County's WebVen

Prior to subaward award, all potential Subrecipients must register in County's WebVen. The WebVen contains Bidder's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing County's home page at <http://camisvr.co.la.ca.us/webven/>

1.12 County Option to Reject Bids

County may, at its sole discretion, reject any or all Bids submitted in response to this solicitation. County shall not be liable for any costs incurred by a Bidder in connection with the preparation and submission of any Bid. County reserves the right to waive inconsequential disparities in a submitted Bid.

1.13 Protest Process

1.13.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Bidder may request a review of the requirements under a solicitation for a Board-approved services subaward, as described in Section 1.13.3 below. Additionally, any actual Bidder may request a review of a disqualification or of a proposed subaward award under such solicitation as described respectively in the Section below. It is the responsibility of Bidder challenging the decision of a County department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed subaward award.

1.13.2 Throughout the review process, County has no obligation to delay or otherwise postpone an award of subaward based on a Bidder protest. In all cases, County reserves the right to make an award when it is determined to be in the best interest of County of Los Angeles to do so.

1.13.3 Grounds for Review

Unless state or federal statutes or regulations otherwise provide, the grounds for review of any Departmental determination or action should be limited to the following:

- Review of Solicitation Requirements (Reference Sub-paragraph 2.4 in the Instructions to Bidders Section)
- Review of a Disqualified Bid (Reference Sub-paragraph 3.3 in the Bid Review and Selection Section)
- Review of Department's Proposed Subrecipient Selection (Reference Sub-paragraph 3.5 in the Bid Review and Selection Section)

1.14 Notice to Bidders Regarding the Public Records Act

- 1.14.1 Responses to this solicitation shall become the exclusive property of County. Absent extraordinary circumstances, the recommended Bidder's bid will become a matter of public record when (1) subaward negotiations are complete; (2) (Department) receives a letter from the recommended Bidder's authorized officer that the negotiated subaward is the firm offer of the recommended Bidder; and (3) (Department) releases a copy of the recommended Bidder's bid in response to a Notice of Intent to Request a Proposed Contractor Selection under Board Policy No. 5.055.

Notwithstanding the above, absent extraordinary circumstances, all bids will become a matter of public record when the Department's recommendation appears on the Board agenda.

Exceptions to disclosure are those parts or portions of all bids that are justifiably defined as business or trade secrets, and plainly marked by Bidder as "Trade Secret," "Confidential," or "Proprietary."

- 1.14.2 County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. **A blanket statement of confidentiality or the marking of each page of the bid as confidential shall not be deemed sufficient notice of exception. Bidders must specifically label only those provisions of their respective bid which are "Trade Secrets," "Confidential," or "Proprietary" in nature.**

1.15 Indemnification and Insurance

Successful Subrecipient shall be required to comply with the indemnification provisions contained in Appendix A, Sample Subaward, Sub-paragraph 8.23. Successful Subrecipient shall procure, maintain, and provide to County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Appendix A, Sample Subaward, Sub-paragraphs 8.24 and 8.25.

1.16 Intentionally Omitted

1.17 Injury and Illness Prevention Program (IIPP)

Contractor shall be required to comply with the State of California's Cal OSHA's regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

1.18 Background and Security Investigations

Background and security investigations of Subrecipient staff may be required at the discretion of County as a condition of beginning and continuing work under any resulting subaward. The cost of background checks is the responsibility of the Bidder.

1.19 Confidentiality and Independent Contractor Status

As appropriate, Subrecipient shall be required to comply with the Confidentiality provision contained in Sub-paragraph 7.5 and the Independent Contractor Status provision contained in Sub-paragraph 8.22 in Appendix A, Sample Subaward.

1.20 Conflict of Interest

No County employee whose position in County enables him/her to influence the selection of a subrecipient for this IFB, or any competing IFB, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Bidder or have any other direct or indirect financial interest in the selection of a Contractor. Bidder shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Appendix D, Required Forms, Exhibit 5, Certification of No Conflict of Interest.

1.21 Determination of Bidder Responsibility

1.21.1 A responsible Bidder is a Bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the subaward. It is County's policy to conduct business only with responsible Bidders.

- 1.21.2 Bidders are hereby notified that, in accordance with Chapter 2.202 of County Code, County may determine whether Bidder is responsible based on a review of Bidder's performance on any subawards, including but not limited to County subawards. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by Bidder against public entities. Labor law violations which are the fault of the Lower Tier Subrecipients and of which Bidder had no knowledge shall not be the basis of a determination that Bidder is not responsible.
- 1.21.3 County may declare a Bidder to be non-responsible for purposes of this subaward if the Board of Supervisors, in its discretion, finds that Bidder has done any of the following: (1) violated a term of a subaward with County or a nonprofit corporation created by County; (2) committed an act or omission which negatively reflects on Bidder's quality, fitness or capacity to perform a subaward with County, any other public entity, or a nonprofit corporation created by County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against County or any other public entity.
- 1.21.4 If there is evidence that the apparent highest ranked Bidder may not be responsible, the Department shall notify Bidder in writing of the evidence relating to Bidder's responsibility, and its intention to recommend to the Board of Supervisors that Bidder be found not responsible. The Department shall provide Bidder and/or Bidder's representative with an opportunity to present evidence as to why Bidder should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.
- 1.21.5 If Bidder presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of Bidder shall reside with the Board of Supervisors.
- 1.21.6 These terms shall also apply to proposed Lower Tier Subrecipients of Bidders on County subawards.

1.22 Bidder Debarment

- 1.22.1 Bidder is hereby notified that, in accordance with Chapter 2.202 of County Code, County may debar Bidder from bidding or proposing on, or being awarded, and/or performing work on other County subawards for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and County may terminate any or all of Bidder's

existing subawards with County, if the Board of Supervisors finds, in its discretion, that Bidder has done any of the following: (1) violated a term of a subaward with County or a nonprofit corporation created by County; (2) committed an act or omission which negatively reflects on Bidder's quality, fitness or capacity to perform a subaward with County, any other public entity, or a nonprofit corporation created by County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against County or any other public entity.

- 1.22.2 If there is evidence that the apparent highest ranked Bidder may be subject to debarment, the Department shall notify Bidder in writing of the evidence which is the basis for the proposed debarment, and shall advise Bidder of the scheduled date for a debarment hearing before the Contractor Hearing Board.
- 1.22.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Bidder and/or Bidder's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether Bidder should be debarred, and, if so, the appropriate length of time of the debarment. Bidder and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 1.22.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.22.5 If a Bidder has been debarred for a period longer than five (5) years, that Bidder may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that Bidder has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of County.
- 1.22.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) Bidder has been debarred for

a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.

- 1.22.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.22.8 These terms shall also apply to proposed Lower Tier Subrecipient Lower Tier Recipients of Bidders on County subawards.
- 1.22.9 Appendix H provides a link to County's website where there is a listing of Subrecipients that are currently on the Debarment List for Los Angeles County.

1.23 Bidder's Adherence to County Child Support Compliance Program

Bidders shall 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any subaward that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a subaward or initiation of debarment proceedings against the non-compliant Subrecipient (County Code Chapter 2.202).

1.24 Gratuities

1.24.1 Attempt to Secure Favorable Treatment

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Bidder with the implication, suggestion or statement that Bidder's provision of the consideration may secure more favorable treatment for Bidder in the award of a Subaward or that Bidder's failure to provide such consideration may negatively affect County's consideration of Bidder's submission. A Bidder shall not offer or give either directly or through an intermediary,

consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of a Subaward.

1.24.2 Bidder Notification to County

A Bidder shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to County manager charged with the supervision of the employee or to County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in Bidder's submission being eliminated from consideration.

1.24.3 Form of Improper Consideration

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

1.25 Notice to Bidders Regarding the County Lobbyist Ordinance

The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or Subaward must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Bidder to review the ordinance independently as the text of said ordinance is not contained within this IFB. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by Bidder is in full compliance with Chapter 2.160 of the Los Angeles County Code by completing and submitting Familiarity with the County Lobbyist Ordinance Certification, as set forth in Appendix D, Required Forms, Exhibit 6, as part of their Bid.

1.26 Federal Earned Income Credit

Successful Subrecipient shall notify its employees, and shall require each Lower Tier Subrecipient to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in the Internal Revenue Service Notice No. 1015. Reference Appendix I.

1.27 Consideration of GAIN/GROW Participants for Employment

As a threshold requirement for consideration for subaward award, Bidders shall demonstrate a proven record of hiring participants in the County of Los Angeles' Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if the participants meet the minimum qualifications for that opening. Bidders shall attest to a willingness to provide employed GAIN/GROW participants access to Bidder's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Bidders who are unable to meet this requirement shall not be considered for subaward award. Bidders shall complete and return the form, Attestation of Willingness to Consider GAIN/GROW Participants, as set forth in Appendix D, Required Form, Exhibit 9, along with their Bid.

1.28 County's Quality Assurance Plan

After subaward award, County or its agent will monitor the Subrecipient's performance under the subaward on a periodic basis. Such monitoring will include assessing Subrecipient's compliance with all terms and conditions in the Subaward and performance standards identified in the Statement of Work. Subrecipient's deficiencies which County determines are significant or continuing and that may jeopardize performance of the Subaward will be reported to County's Board of Supervisors. The report will include improvement/corrective action measures taken by County and Subrecipient. If improvement does not occur consistent with the corrective action measures, County may terminate the Subaward in whole or in part, or impose other penalties as specified in the Subaward.

1.29 Recycled Bond Paper

Bidder shall be required to comply with County's policy on recycled bond paper as specified in Appendix A, Sample Subaward, Sub-paragraph 8.39.

1.30 Safely Surrendered Baby Law

Subrecipient shall notify and provide to its employees, and shall require each Lower Tier Subrecipient to notify and provide to its employees information regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The information is set forth in Appendix J (Safely Surrendered Baby Law) of this solicitation document. Additional information is available at www.babysafela.org.

1.31 County Policy on Doing Business with Small Business

1.31.1 County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in County's contracting process by constantly streamlining and

simplifying our selection process and expanding opportunities for small businesses to compete for our business.

- 1.31.2 The Local Small Business Enterprise Preference Program, requires the Company to complete a certification process. This program and how to obtain certification are further explained in Sub-paragraph 1.33 of this Section.
- 1.31.3 The Jury Service Program provides exceptions to the Program if a company qualifies as a Small Business. It is important to note that each Program has a different definition for Small Business. You may qualify as a Small Business in one Program but not the other. Further explanation of the Jury Service Program is provided in Sub-paragraph 1.32 of this Section.
- 1.31.4 County also has a Policy on Doing Business with Small Business that is stated in Appendix F.

1.32 Jury Service Program

The prospective subaward is subject to the requirements of the County of Los Angeles' Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Subrecipients should carefully read the Jury Service Ordinance, Appendix G, and the pertinent jury service provisions of the Sample Subaward, Appendix A, Sub-paragraph 8.8, both of which are incorporated by reference into and made a part of this IFB. The Jury Service Program applies to both Subrecipients and their Lower Tier Subrecipients. Bids that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 1.32.1 The Jury Service Program requires Subrecipients and their Lower Tier Subrecipients to have and adhere to a written policy that provides that its employees shall receive from the Subrecipient, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Subrecipient or that the Subrecipient deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Subrecipient and "full-time" means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by County, or 2) the Subrecipient has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Subrecipient's full-time California employees, even those not working specifically on County project. Full-time employees providing short-term, temporary

services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.

1.32.2 There are two ways in which a Subrecipient might not be subject to the Jury Service Program. The first is if the Subrecipient does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation or other entity which has a subaward with County or a Subcontract with a County Subrecipient and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more County subawards or low tier subawards. The second is if the Subrecipient meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Subrecipients that have 1) ten or fewer employees; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this Subaward is less than \$500,000, and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Subrecipients that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Subrecipient is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

1.32.3 If a Subrecipient does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Subrecipient must so indicate in the Certification Form and Application for Exception, Exhibit 10 in Appendix D - Required Forms, and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the Subrecipient's application, County will determine, in its sole discretion, whether the Subrecipient falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. County's decision will be final.

1.33 Intentionally Omitted

1.34 Intentionally Omitted

1.35 Notification to County of Pending Acquisitions/Mergers by Bidding Company

Bidder shall notify County of any pending acquisitions/mergers of their company. This information shall be provided by Bidder on Appendix D, Required Forms, Exhibit 1, Bidder's Organization Questionnaire/Affidavit and CBE Information. Failure of Bidder to provide this information may eliminate its bid from any further consideration.

1.36 Social Enterprise (SE) Preference Program

1.36.1 County will give preference during the solicitation process to businesses that meet the definition of a SE, consistent with Chapter 2.205 of the Los Angeles County Code. A SE is defined as:

- 1) A business that qualifies as a SE and has been in operation for at least one year (1) providing transitional or permanent employment to a Transitional Workforce or providing social, environmental and/or human justice services; and
- 2) A business certified by the Department of Consumer and Business Affairs (DCBA) as a SE.

1.36.2 The DCBA shall certify that a SE meets the criteria set forth in Section 1.36.1.

1.36.3 Certified SEs may only request the preference if the certification has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7, Request for Preference Program Consideration in Appendix D - Required Forms and submit a letter of certification from the DCBA with their bid.

1.36.4 Further information on SEs also available on the DCBA's website at: <http://dcba.lacounty.gov>

1.37 Health Insurance Portability and Accountability Act of 1996 ("HIPAA")

Subrecipient shall be required to expressly acknowledge and agree to terms of Section 9.4, HIPAA, of the Subaward.

1.38 Bidder's Charitable Contributions Compliance

1.38.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Prospective subrecipients should carefully read the Background and Resources: California Charities Regulation, Appendix K. New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices and documentation. Charities with over \$2 million of revenues (excluding funds that must be accounted for to a governmental entity) have new audit requirements.

- 1.38.2 All prospective subrecipients must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the Charitable Contributions Certification, Exhibit 11 as set forth in Appendix D - Required Forms. A completed Exhibit 11 is a required part of any agreement with County.
- 1.38.3 In Exhibit 11, prospective subrecipients certify either that:
- they have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County agreement, **OR**
 - they are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.
- 1.38.4 Prospective County subrecipients that do not complete Exhibit 11 as part of the solicitation process may, in County's sole discretion, be disqualified from subaward award. A County subrecipient that fails to comply with its obligations under the Charitable Purposes Act is subject to either subaward termination or debarment proceedings or both. (County Code Chapter 2.202)

1.39 Defaulted Property Tax Reduction Program

The prospective subaward is subject to the requirements of County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206). Prospective Subrecipients should carefully read the Defaulted Tax Program Ordinance, Appendix L, and the pertinent provisions of the Sample Subaward, Appendix A, Sub-paragraph 8.51 and 8.52, both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Subrecipients and their Lower Tier Subrecipients.

Bidders shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any subaward that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Certification of Compliance with County's Defaulted Property Tax Reduction Program, Exhibit 14 in Appendix D – Required Forms. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a subaward or initiation of debarment proceedings against the non-compliance subrecipient (Los Angeles County Code, Chapter 2.202).

Bids that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further

consideration.

1.40 Disabled Veteran Business Enterprise (DVBE) Preference Program

- 1.40.1 County will give preference during the solicitation process to businesses that meet the definition of a DVBE, consistent with Chapter 2.211 of the Los Angeles County Code. A DVBE vendor is defined as:
- 1) A business which is certified by the State of California as a DVBE; or
 - 2) A business which is verified as a service-disabled veteran-owned small business (SDVOSB) by the Veterans Administration.
 - 3) A business certified as DVBE with other certifying agencies pursuant to the Department of Consumer and Business Affairs' (DCBA) inclusion policy that meets the criteria set forth by the agencies in 1 and 2 above.
- 1.40.2 The DCBA shall certify that a DVBE is currently certified by the State of California, by the U.S. Department of Veteran Affairs, or is determined by the DCBA' inclusion policy that meets the criteria set forth by the agencies in Section 1.40.1, 1 or 2 above.
- 1.40.3 Certified DVBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7, Request for Preference Program Consideration in Appendix D - Required Forms and submit a letter of certification from the DCBA with their bid.
- 1.40.4 Information about the State's DVBE certification regulations is found in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Disabled Veteran Business Certification and Resources Website at <http://www.dgs.ca.gov/pd/Home.aspx>

1.41 Time Off for Voting

The Subrecipient shall notify its employees, and shall require each Lower Tier Subrecipient to notify and provide to its employees, information regarding the time off for voting law (Elections Code Section 14000). Not less than 10 days before every statewide election, every Subrecipient and Lower Tier Subrecipients shall keep posted conspicuously at the place of work, if practicable, or elsewhere where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Section 14000.

1.42 Bidder's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking

On October 4, 2016, the Los Angeles County Board of Supervisors approved a motion taking significant steps to protect victims of human trafficking by establishing a zero tolerance policy on human trafficking. The policy prohibits subrecipients engaged in human trafficking from receiving subaward awards or performing services under a County subaward.

Subrecipients are required to complete Exhibit 15 (Zero Tolerance Policy on Human Trafficking Certification) in Appendix D (Required Forms), certifying that they are in full compliance with County's Zero Tolerance Policy on Human Trafficking provision as defined in Section 8.54 (Compliance with County's Zero Tolerance Policy on Human Trafficking) of Appendix A (Sample Subaward). Further, subrecipients are required to comply with the requirements under said provision for the term of any subaward awarded pursuant to this solicitation.

1.43 Intentionally Omitted

2.0 INSTRUCTIONS TO BIDDERS

This Section contains key project dates and activities as well as instructions to Bidders in how to prepare and submit their Bids.

2.1 County Responsibility

County is not responsible for representations made by any of its officers or employees prior to the execution of the Subaward unless such understanding or representation is included in the Subaward.

2.2 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with a Bid shall be sufficient cause for rejection of the Bid. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final.

2.3 IFB Timetable

The timetable for this IFB is as follows:

- Release of IFBFriday, 08/25/17
- Request for a Solicitation Requirements Review Due Tuesday, 09/05/17
- Written Questions Due..... Tuesday, 08/29/17
- Questions and Answers Released Thursday, 08/31/17
- **Bid due by 12:00 noon (Pacific Time) on Th 09/07/19 Thursday, 09/07/17**

2.4 Solicitation Requirements Review

A person or entity may seek a Solicitation Requirements Review by submitting Appendix E, Transmittal Form to Request a Solicitation Requirements Review, to the Department conducting the solicitation as described in this Section. A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

1. The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document.
2. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a bid.
3. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
4. The request for a Solicitation Requirements Review asserts either that:
 - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
 - b. due to unclear instructions, the process may result in County not receiving the best possible responses from prospective Vendor.

The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the bid due date.

2.5 Bidders' Questions

Bidders may submit written questions regarding this IFB by mail, fax or e-mail to County's Contract Manager identified below. All questions must be received by Tuesday, 08/29/2017. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the IFB.

When submitting questions, please specify the IFB section number, paragraph number, and page number and quote the passage that prompted the question. This will ensure that the question can be quickly found in the IFB. County reserves the right to group similar questions when providing answers.

Questions may address concerns that the application of minimum requirements, review criteria and/or business requirements would unfairly disadvantage Bidders or, due to unclear instructions, may result in County not receiving the best possible responses from Bidder.

Questions should be addressed to:

Igor Bagmanian
Workforce Development, Aging and Community Services
3175 West Sixth Street
Los Angeles, CA 90020
ibagmanian@wdacs.lacounty.gov

2.6 Intentionally Omitted

2.7 Preparation of the Bid

All Bids must be bound and submitted in the prescribed format. Any Bid that deviates from this format may be rejected without review at County's sole discretion.

2.8 Bid Format

The content and sequence of the Bid must be as follows:

- Table of Contents
- Pricing Schedule (Section A)
- Bidder's Qualifications (Section B)
- Required Forms (Section C)
- Proof of Insurability (Section D)

2.8.1 Table of Contents

The Table of Contents must be a comprehensive listing of material included in the Bid. This section must include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

2.8.2 Pricing Schedule (Section A)

Complete and submit the following forms as provided in Appendix D – Required Forms:

- Pricing Schedule – Exhibit 12
- Certification of Independent Price Determination and Acknowledgement of IFB Restrictions – Exhibit 13

2.8.3 Bidder's Qualifications (Section B)

Demonstrate that Bidder (as an individual or an organization) has the experience to perform the required services. The following sections must be included:

A. Bidder's Background and Experience (Section B.1)

The Bidder shall complete, sign and date Bidder's Organization Questionnaire/Affidavit and CBE Information – Exhibit 1 as set forth in Appendix D. **The person signing the form must be authorized to sign on behalf of Bidder and to bind the applicant in a Subaward.**

Provide a summary of relevant background information to demonstrate that Bidder meets the minimum requirements stated in Sub-paragraph 1.4 of this IFB and has the capability to perform the required services as an individual or a corporation or other entity.

Bidder must meet specific eligibility criteria regarding experience and proposal submission to be eligible and considered for a subaward with WDACS. Bidder must provide satisfactory evidence that it meets the following minimum requirements:

- 1) Two (2) or more years of experience within the last six (6) years of experience providing workforce development funds administration and reporting under Workforce Investment Act (WIA) and/or Workforce Investment and Opportunity Act (WIOA);
- 2) Three (3) or more years of experience within the last six (6) years in the development of cost allocations for non-profit organizations, public entities or for-profit organizations;
- 3) Three (3) or more years of experience within the last six (6) years providing federal grants management and federal grants administration;
- 4) A four-year degree in finance, accounting or a related field;
- 5) Knowledge of Title 2 CFR Section 200 et seq., Uniform Grant Guidelines;
- 6) Knowledge of statutes and guidelines of WIOA, the Older Americans Act (OAA), the Older Californians Act (OCA) and with memorandums and directives of the U.S. Department of Labor Employment & Training Administration, the California State Employment Development Department, the California Department of Aging, and other federal, state, local entities

involved in administration and reporting of WIOA and Area Agency on Aging (AAA) funds.

Taking into account the structure of Bidder's organization, Bidder shall determine which of the below referenced supporting documents County requires. If Bidder's organization does not fit into one of these categories, upon receipt of the Bid or at some later time, County may, in its discretion, request additional documentation regarding Bidder's business organization and authority of individuals to sign Subawards.

If the below referenced documents are not available at the time of Bid submission, Bidders must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

Required Support Documents:

Corporations or Limited Liability Company (LLC):

The Bidder must submit the following documentation with the Bid:

- 1) A copy of a "Certificate of Good Standing" with the state of incorporation/organization.
- 2) A conformed copy of the most recent "Statement of Information" as filed with the California Secretary of State listing corporate officers or members and managers.

Limited Partnership:

The Bidder must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

B. Bidder's References (Section B.2)

It is Bidder's sole responsibility to ensure that the firm's name, and point of contact's name, title and phone number for each reference is accurate. The same references may be listed on both forms – Exhibits 2 and 3.

County may disqualify a Bidder if:

- references fail to substantiate Bidder's description of the services provided; or

- references fail to support that Bidder has a continuing pattern of providing capable, productive and skilled personnel, or
- the Department is unable to reach the point of contact with reasonable effort. It is Bidder's responsibility to inform the point of contact of normal working hours.

The Bidder must complete and include Required Forms, Exhibits 2, 3 and 4 as set forth in Appendix D.

a. Prospective Subrecipient References, Exhibit 2

Bidder must provide three (3) references where the same or similar scope of services was provided.

b. Prospective Subrecipient List of Subawards, Exhibit 3

The listing must include all Public Entities subawards for the last three (3) years. Use additional sheets if necessary.

c. Prospective Subrecipient List of Terminated Subawards, Exhibit 4

Listing must include subawards terminated within the past three (3) years with a reason for termination.

C. Bidder's Pending Litigation and Judgments (Section B.3)

Identify by name, case and court jurisdiction any pending litigation in which Bidder is involved, or judgments against Bidder in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against Bidder or principals of Bidder.

2.8.4 Required Forms (Section C)

Include the following business forms as provided in Appendix D – Required Forms. Complete, sign and date all forms.

- Exhibit 1 Bidder's Organization Questionnaire/Affidavit and CBE Information
- Exhibit 2 Prospective Subrecipient References
- Exhibit 3 Prospective Subrecipient List of Subawards
- Exhibit 4 Prospective Subrecipient List of Terminated Subawards
- Exhibit 5 Certification of No Conflict of Interest
- Exhibit 6 Familiarity with County Lobbyist Ordinance Certification

- Exhibit 7 Request for Preference Program Consideration
- Exhibit 8 Bidder's EEO Certification
- Exhibit 9 Attestation of Willingness to Consider GAIN/GROW Participants
- Exhibit 10 Subrecipient Employee Jury Service Program Certification Form and Application for Exception
- Exhibit 11 Charitable Contributions Certification (if applicable)
- Exhibit 12 Pricing Schedule
- Exhibit 13 Certification of Independent Price Determination and Acknowledged of IFB Restrictions
- Exhibit 14 Certification of Compliance with County's Defaulted Property Tax Reduction Program
- Exhibit 15 Bidder's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking
- Exhibit 16 Intentionally Omitted

2.8.5 Proof of Insurability (Section D)

Bidder must provide proof of insurability that meets all insurance requirements set forth in the Appendix A – Sample Subaward, Subparagraphs 8.24 and 8.25. If a Bidder does not currently have the required coverage, a letter from a qualified insurance carrier indicating a willingness to provide the required coverage should Bidder be awarded a Subaward may be submitted with the Bid.

2.8.6 Intentionally Omitted

2.9 Bid Submission

The original Bid and three (3) numbered copies shall be enclosed in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of Bidder and bear the words:

“BID FOR FINANCIAL CONSULTANT SERVICES”

The Bid and any related information shall be delivered or mailed to:

Workforce Development, Aging and Community Services Department
3175 West Sixth Street
Los Angeles, CA 90020
Attn: Igor Bagmanian

It is the sole responsibility of the submitting Bidder to ensure that its Bid is received before the submission deadline. Submitting Bidders shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. Any Bids received after the scheduled closing date and time for receipt of Bids, as listed in Sub-paragraph 2.3, IFB Timetable, will not be accepted and returned to the sender unopened. Timely hand-delivered Bids are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.

All Bids shall be firm offers and may not be withdrawn for a period of 60 days following the last day to submit bids.

3.0 BID REVIEW AND SELECTION PROCESS

3.1 Review Process

3.1.1 Bids will be examined to determine the lowest price. Should one or more of Bidders request and be granted the Local Small Business Enterprise Preference, Social Enterprise Preference, or Disabled Veteran Business Enterprise Preference, the lowest bid price will be determined as follows:

The maximum number of possible points will be awarded to the lowest cost bid. All other bids will be compared to the lowest cost and points awarded accordingly.

However, should one or more of Bidders request and be granted the preference, the cost component points will be determined as follows:

Fifteen percent (15%) of the lowest cost proposed will be calculated, not to exceed \$150,000, and that amount will be deducted from the cost submitted by all bidders who requested and were granted the preference.

In no case shall any preference be combined to exceed fifteen percent (15%) of the lowest responsible bid meeting specifications.

3.1.2 The lowest price bid will be reviewed to determine whether it is responsive and responsible. The following steps will be performed until it is determine which is the lowest price, and most responsive and responsible bid.

3.2 Adherence to Minimum Requirements

County shall review Bidder's Organization Questionnaire/Affidavit and CBE Information – Exhibit 1 of Appendix D, Required Forms, and determine if Bidder meets the minimum requirements as outlined in Sub-paragraph 1.4 of this IFB.

Failure of Bidder to comply with the minimum requirements may eliminate its bid from any further consideration. County may elect to waive any informality in a bid if the sum and substance of the bid is present.

3.3 Disqualification Review

A bid may be disqualified from consideration because a Department determined it was a non-responsive bid at any time during the review/evaluation process. If a Department determines that a Bid was disqualified due to non-responsiveness, the Department shall notify Bidder in writing.

Upon receipt of the written determination of non-responsiveness, Bidder may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

A request for a Disqualification Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Disqualification Review is a Bidder;
2. The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
3. The request for a Disqualification Review asserts that the Department's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the determination shall be provided to the requesting Bidder, in writing, prior to the conclusion of the evaluation process.

3.4 Bid Review

3.4.1 Bidder's Qualifications (Section B)

County's review shall include the following:

- Bidder's Background and Experience as provided in Section B.1 of the Bid.
- Bidder's References as provided in Section B.2 of the Bid. The review will include verification of references submitted, a review of County's Contract Database and Contractor Alert Reporting Database (CARD), if applicable, reflecting past performance history on County subawards, and a review of terminated subawards.

- A review to determine the magnitude of any pending litigation or judgments against Bidder as provided in Section B.3 of the Bid.

3.4.2 Required Forms

All forms listed in Section 2, Sub-paragraph 2.8.4 must be included in **Section C** of the Bid.

3.4.3 Proof of Insurability

Review the proof of insurability provided in **Section D** of the Bid.

3.4.4 Intentionally Omitted

3.5 Department's Proposed Subrecipient Selection Review

3.5.1 Proposed Subrecipient Selection Review

Any Bidder that has timely submitted a notice of its intent to request a Proposed Subrecipient Selection Review may submit a written request for a Proposed Subrecipient Selection Review, in the manner and timeframe as shall be specified by the department.

A request for a Proposed Subrecipient Selection Review may, in the department's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Proposed Subrecipient Selection Review is a bidder/proposer;
2. The request for a Proposed Subrecipient Selection Review is submitted timely (i.e., by the date and time specified by the department);
3. The person or entity requesting a Proposed Subrecipient Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
 - a. The department materially failed to follow procedures specified in its solicitation document. This includes:
 - i. Failure to correctly apply the standards for reviewing the bid format requirements.
 - ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the bids as specified in the solicitation document.
 - iii. Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.

- b. The department made identifiable mathematical or other errors in evaluating bids, resulting in Bidder receiving an incorrect score and not being selected as the recommended subrecipient.
 - c. Another basis for review as provided by state or federal law; and
4. The request for a Proposed Subrecipient Selection Review sets forth sufficient detail to demonstrate that, but for the department's alleged failure, Bidder would have been the lowest cost, responsive and responsible bid or the highest-scored bid, as the case may be.

Upon completing the Proposed Subrecipient Selection Review, the department representative shall issue a written decision to Bidder within a reasonable time following receipt of the request for a Proposed Subrecipient Selection Review, and always before the date the subaward award recommendation is to be heard by the Board. The written decision shall additionally instruct Bidder of the manner and timeframe for requesting a County Independent Review.

3.5.2 County Independent Review Process

Any Bidder that is not satisfied with the results of the Proposed Subrecipient Selection Review may submit a written request for a County Independent Review in the manner and timeframe specified by the Department in the Department's written decision regarding the Proposed Subrecipient Selection Review.

The request for a County Independent Review may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:

- 1. The person or entity requesting County Independent Review is a Bidder;
- 2. The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department); and
- 3. The person or entity requesting County Independent Review has limited the request to items raised in the Proposed Subrecipient Selection Review and new items that (a) arise from the Department's written decision and (b) are on of the appropriate grounds for requesting a Proposed Subrecipient Selection Review as listed in Section 3.5.2 above.

Upon completion of County Independent Review, ISD will forward the report to the Department, which will provide a copy to Bidder.